

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
RUDDY OSIAS

:
Plaintiff, : ORDER
:
-v.- : 21 Civ. 8877 (PAE) (GWG)

:
DEPARTMENT OF CORRECTION et al.,
:

Defendants

:

-----x

GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE

The Court has received the attached letter from plaintiff dated May 8, 2023, addressing the issue of the defendants' assertion that plaintiff signed a general release of the claims in this case. The Court notes that no motion seeking dismissal of the complaint has been filed by defendants and that it is not due to be filed until May 25, 2023. After the motion is filed, plaintiff may file his opposition by sending it to:

Pro Se Docketing
500 Pearl Street
New York, NY 10007

Under Judge Engelmayer's Individual Rules and Practices in Pro Se cases, plaintiff's response will be due June 22, 2023.

Dated: New York, New York
May 12, 2023

SO ORDERED:



GABRIEL W. GORENSTEIN
United States Magistrate Judge

Ruddy Osias
DIN: 22B2764
Five Point C.F.
Romulus, N.Y 14541

5-8-23

(CASE: NO. 21 CV 8877(PAE)(GWG))

Osias v. Dept of Corr., et al.

Opposition of Dismissal

Dear Judge Engelmayer and Magistrate Judge Borenstein

I Ruddy Osias the plaintiff, request and seeks to understand that these amended claims are complaints and actions that occurred prior this case. Despite these claims being contiguous Case No. 22-cv-869 (PAE)(SLC) was a use of force claim, which shipped me away from that facility, while this current case was pending.

I believe due to this case, which was pending at the time, is why I believe the defendant's had malice intent towards my well being. I am aware that the signing of the General Release has become material issue, but the claims in case: NO. 21 CV 8877(PAE)(GWG) is matter of first impressions of the defendants.

Plaintiffs claims, failure to produce for court appearance, lack of recreation and law library services which did occur during the pandemic, as well deliberate indifference to plaintiffs medical needs. Two separate situations, two different cases, two different Timelines.

I the plaintiff prays the court
seeks more discovery on these matters instead
of dismissal.

Thank You

R. A.

FIVE POINTS CORRECTIONAL FACILITY
STATE ROUTE 9G, P.O. BOX 119
ROMULUS, NEW YORK 14541
NAME: Ronald Doss DIN: 2282764

Five Points
FIRESTICKER
05/08/2023
U.S. POSTAGE \$000.00

LOC: 10-C2-2A
Correctional Facility
United States Magistrate Judge, Gabrielle Gifford
ZIP 14541-0000, 01082023

United States District Court
Southern District of New York
U.S. Courthouse
500 Pearl Street
New York, NY 10007
1000\$1330 COSS

Legal mail